CHURCH AND STATE.

The Rebellion in the Catholic Church in America.

The Bishop of Scranton Versus Father Stack.

ECCLESIASTICAL LAW DEFIED

The State Courts to Invade the Sanctity of the Church.

The Priest Ignoring the Bishop's Power and the Latter's Preference for the Decisions of Custom Rather than Those of the Canonical Laws.

The Concilii Plenarii Balt morensis and the American Branch of the Church.

Father Stack. Bishop O'Hara, Father Koeper and Judge Maynerd Interviewed.

AFFIDAVITS AND COUNTER AFFIDAVITS.

Charges of Embezzlement and Arbitrary Encroachments.

Five Million Catholics Awaiting the Result of the Suit.

WILLIAMSPORT, Pa., Jan. 3, 1872. op O'Hara and Father Stack the more elessly involved do his reasoning powers be are apparent reasons for believing in the justice of the defendant, and just as weighty ones for post-

O'Hars removing Fainer Stack from the church over which he presided. Stack, "Mr. Stack," as something almost unknown in the annals of the Catholic Church in this country—he rebelled ! He salled the civil courts to his aid, and cited his Suerior to snow cause, a thing never before attempted

Whether the Bishop can be made to explain his easons and to a civil court, is the great questionquestion on which ninges many of the preroga-ives of the Bishops, in America at least, if not in

Pather Stack claims the Civil Court has jurisdic-

-Bishop O'Hara deales it; and here, in a few words, is the case. It has been go erally admitted hat the Bishop had causes for removing Stack, but t is not the practice to give a reason. When a riest is ordained he promises to "obey and revere." is not his place to ask questions any more than it orders that bad him to the field of carnage; I Father Stack, in his present attitude, and singly and alone the first rebei Church has known for many a day. years ago a priest in Philadel his after ing been suspended continued to administer his e in his church for eighteen months, but a gradwithdrawal of the sympathy of former friends absolute refusal of all priests to near his conns finally preyed on his mind to such an ex-that he abandoned everything and went to in search of absolution, which, after various ces, was granted, and he ultimately died in mt. He goes to a court of law and prays for its in erference in a matter of ecclesiastical concern, and which, it is claimed by the Bishop, is a matter for ent by an ecclesiastical court only, if any, AN INTERVIEW WI H PATHER STACK.

me case, and had a lengthy interviews with both. verbal information touching his case was most the Henald, not for publication, but for the purpose case. He was much elated at the course the Judge (Gamble) had taken in his favor, and was evi-dently well pleased with the prospect of being "in-

tarry, he presents the appearance of one who has lived temperately, as becomes the priest, and forces on you the impression that he desires to be consid-ered good-natured. His physique is good and his piercing eye, which last he uses to good advantage I take it, for he takes one in at a giance, then his seatures rolax into caluness and his heart whis-pers "all right; I have ciphered you," and he is ready to talk or listen.
"Father Stack," I said, "I desire to ask you a few

questions with regard to the legal proceedings at Williamsport, in which you are one of the inter-

JURISDICTION OF BISHOP O'HARA.

Father STACK—Well, you of course know the op attempted to remove me.

Pather STACK-I claim that he has no right to re-

CORRESPONDENT-What are your reasons for mak-

CORRESPONDENT—Bishop O'Hara says canon law is not in operation in America.

Pather STACE—Canon law is in operation whorever there are fixed bishoprios.

CORRESPONDENT—Do the bishops in America re-

Symbol to eason to any extent whatever?
Father Stack—They freely recognize it to the execution securing their own class rights and powers.
Consessonment—Why do they not fully recognized.

secure the rights of priests would diminish the pre-regatives of the bishops, and break up their arbiary power. CORRESPONDENT-Why do they dare ignore the

rights of priests?
Father STACE—I might answer you, by another question—"Why are men swayed by the lust of power?" as De Maistre says.
Correspondent—Are not the priests discontented and less efficient under such a state of things?

Pather STACK—Certainly. The best talent is com-paratively obscured, and the best energies lost to the Church by cramping their manhood and sinking their individual character. CORRESPONDENT—Be more explicit, please. I do

Bot yet understand your meaning.

TYRANNY IN TRAINING COLLEGES.

Pather STACK—In the training of our colleges the Rishops endeavor to cast every student in the

Strong personal character left.

CORRESPONDENT—Why do not the priests in mingling with the world overcome this subjection?
Father Stack—They are under the closest espionage. There have not been wanting men of and willing to plox up every little flaw against their brothers and report it at headquarters,

RESPONDENT-What was the occasion of your

RESPONDENT—Did not the Fentans deserve

condemnation? Fainer Stack—Yes, on general principles, but not for the reasons stated in the Pope's rescript.

CORRESPONDENT—what were the reasons stated? Fainer Stack—That the Feninas were plotting against a legitimate government.

CORRESPONDENT—The Engiles government? Patter Stack—Tes, the Engiles government. I do not recognize its legitimacy in Ireland.

CORRESPONDENT—Were there any jurther reasons?

warmness?

Father Stack—On one accasion the Bishop came here and gave notice that he would proceed to collect money enough to clear the debt. He came, and collected out \$25. He was angered at this, and accased me of not helping him. He took the matter in his own hands, and i decided to let him go. It was not my fault in seed and out meet his expectations.

CORRESPONDENT—Way I inquire it there is any personal feeing between yourself and the Bishop? Father Stack—None whatever. I am lighting for a principle, not the Bishop. He is doubless acting as he is obliged to act to protect his class—the other Bishops.

Bishops.
Correspondent—Have you received any evidences, written or verous, that the mijority of the priests of your acquaintace sympa hize with you? Father Stack—i.e., I have received many letters and many verbal assurances of sympathy.
Correspondent—Why do they not come out boildly in your benait?
Father Stack—iney dare not. The first intimation of such a thing and off go their neads, so to speak.

non of such a thing and on go their heads, so to speak.

Correspondent—Do you propose to carry the case to the Supreme Court if nacessary?

Father STACK—Most emphatically yes. There are hundleds of priests in America awaiting the issue of this case. For their sake I am golds to have canon haw respected in America or be ruined in the attempt. The Bishop has already excommunicated me, Unless I gain the day the excommunication will be permanent. You can imagine what I have at slake.

A few moments' further conversation on indiffer-ent topics and I took my leave.

Blahop O'Hars Interviewed.

Bishop O'Hara Interviewed.

The first train on wonday found me on board bound for Scranton to mind the Instructions received the previous day.

On my arrival I sent a note to Bi nop O'Hara, requesting an interview, and was politely requested to call at ten o'clock on Thesnay morning. Accordingly I presented investing at the Bishop's residence at the appointed hour, and was directed to follow my conductor up stairs and enter the audience on amber. The venerable Bishop received me very cordially and moderned me to an easy chair near his inger and laid it on the table. Turning half around in his chair he sandingly asked what he could do for the Harald.

Correspondent—I am instructed to call on you for some information to cannot the points of difference between yourself and Father Stack.

Bishop—I would most cheerfully give yourall the information in my power, but unfortunately I am merely passive at present.

Correspondent—I do not understand you.

BISHOP—Well, Judge Maynard, my counsel, has advised me to be sheat.

Correspondent—Au I to understand, then, that you can give me no information with any one on the subject?

Bishop—Smiling)—That's what Judge Maynard

Biszor (smiling)—That's what Judge Maynard says, and I must soide by his instructions.

Uorrespondent—You will not relies to the

Bission (smiling)—That's what Judge Maynard says, and I must ande by his instructions.

Oursespondent—You will not request to tell me whether there is any personal ill feeing between yourself and Father Stack?

Bission—Certainly not; there is no such thing as ill feeing between us. Poor man (Stack), he has been carried away I fear by a desire for notonety.

Correspondent—I understand Stack claims you have no right to remove him without cause. Is that so?

merica?
Bishor—No, it is not.
Connespondent—it is, I believe, the law of the

Church. Why should it not be in operation in America?
Bishor—It is in operation to a certain extent. It is not necessary, as America is a mission, that the canon law should be in force here. It is in force, however, among the French Catholics of New Orleans, and has been since Louisiana was ceded to America.

CORNESPONDENT—What gives you the right to temove priests at will, without assigning a cause? BISHOP—The Plenary Council that assembled in Baltimore in 1829. Among other things it specially

But the nature of afairs in our times is such as not yet to suffer this to be done. (Fage 70, paragraph 125, Conculti Pignarit.)

In using the names "parochial right," "parish" and "parish prest," we by no means mean to grant to the rector of any courch the right of immorability, as it is called, or to take away or in any manner diminish that power which the Bishop has from the acknowledged discipline in these provinces of depriving any priest of his odies or charge, or of transfering that to another. We admonish and entoris Bishops not to use, or not to wish to use, tals, their right, unless for grave reasons and weighing the merits. (Concili Pienari Baitumoreasis, page 78, paragraph 125.)

CORRESPONDENT—Do Fou accept the above quoted paragraphs from the Concilis Pienari Baitumorensis as your authority in the premises?

BISHOP—it gives us the authority.

PARIEST REMOVED WITHOUT A CHARGE BRING MADE. CORRESPONDENT—I OUR uote to Fatner Stack implied but did not express a charge against him when you removed him.

BISHOP—We are not required to make a charge to pemove a priest.

CORRESPONDENT—I know; but did you make a charge since;

BISHOP—I have made an affidavit.

CORRESPONDENT—I will pardon me if I seem to push the matter. I desire to know for the HEMALD if you have preferred a specific charge against Painer Stock?

BISHOP—I have made as appecific charge against Painer Stock?

BISHOP—I have made as appecific charge against Painer Stock?

BISHOP—I have made as pecific charge against passes of the passes o

Pather Stack?

BisHop (aughing)—That's the question; you will have to see Judge Maynard.

CORRESPONDENT—I do not ask you to tell me what the charge is. I merely wish to know if one has been made.

been made.

Bishor—if you will see my afficavit it will give you some information.

CORRESPONDENT—Have you a copy of the am-

HOP-No; it is on file in court at present at

Williamsport.
Connes rondent—Shall I be able to get a copy of the affidavity
Bishor—I do not know.
Connes rondent—Will you be in Williamsport to answer in person at the Court to be summoned by Judge Gamble!
Bishor—I do not know. I have as yet received no summone to appear. Now, that's what bothers

Bishor—With pleasure.

Bishor—With pleasure.

To consel in the kind of the search and the markers.

Bishor—I won not know. I have as yet received no summons to appear. Now, that's what bothers me. I know about 10 such matters. Suppose I do not receive notice, and do not go, will they send the Marshal after me? I have read in the papers that I am required to be there wednesday; that's all I know about 18.

Correspondent—Your counsel will attend to the matter, doubtless. You need give yourself no uneasiness about it.

Bishor—You! I wrote him to telegraph ms, but have received nothing from him as yet.

Correspondent—Hour you will not tell me what I wish to know, will you kinsily give me a note to your counsel?

Bishor—With pleasure.

Be sealed himsel and wrote a very non-committed note of introduction, and i arose and thanked him, and in parting expressed my sense of the obligation and the pleasure I had received during my call, and departed satished that he had a cause for removing Fither Stack, and more than ever determined to find out what the cause was. The 2:30 train bore me westward to williamsport, where I arrived at 8:30.

I MPT JUDOR MAYNARD alighting from a train from the West, presented my letter and made an engagement to meet him at his residence this morthly.

At nine o'clock i presented myself and we pay

MAYNARD, EUTERMARKS & PARKER, sel for Right Rev. William O'Hara, Bishop of Dioc

he is well acquisites with the bandwriting and signature of M. F. Sheel, and further saith not.

John Euternaries, Notary Public.

JUDGE MAYNABO ON THE CHARTES.

Having care dily read the above answer to Judge Gamole's rule, I said to Judge Maynard that, in conversing with Bishop O'Hara, I had failed to get at certain things on account of his (the Bishop's) timidity after placing attained in the hands of his counsel.

"Whatever information we can give you," the advocate replied, "we will be happy to give."

"I'read, I wish a copy of the Bishop's affidavit."

"You are we come to that."

"You are we come to that."

"Next I wish to know what charges Bishop O'Hara preferred against Fainer Stack?"

"He was shent a lew moments and replied, "None. It is not required that he should prefer charges,"

"What I wish to know what charges Bishop O'Hara preferred no enarges, he evidently had reasons for removing Father Stack?"

"Yes; I suppose so."

It was quite evident that Judge Maynard, if he knew, was no more disposed to tell than was Bishop O'Hara. I concluded to go no town and get the affidavit promised by Judge Maynard, and was in his city office looking over some papers when a conversation between two gentle men present—gentlemen intunately connected with the case—and myself arose with regard to the reasons that Bishop O'Hara I dismellined to give me the Information, persistent pumping finally brought it.

"This thing has been orewing for some time," said one of theid.

"About how long?" I ventured to ask.

"Something like two years."

"Has Stack had any former trouble?"

"On, yea. Some of his congregation wished him removed then, but the Bishop declined to do it."

"What was the mature of that trouble." I asked.

"It was about some trouble with a priest at Troy, Pa."

"Anything further?" I asked.

Anything lutther?" I asked.

PATHER KOETER ON THE SITUATION.

At this juncture Father Koeper, the German priest, entered the office to swear to having releved the letter referred to in the fishop's answerpresented to the Court this afternoon. I was introduced to him and proceeded to "interview" him orbiwith:—

TRANSPONDENT—Father Koeper, do you officiate tooth churches how? Father KOEFER—No. I officiate only for the Ger-

Father KOEPER—No. I officiate only for the German Catholics.
Correspondent—What do the non-German Catholics do during the legal proceedings, while their church is closed by order of the Court?

Father KOEPER—Father Garvey holds service in my church in the alternoon.

Correspondent—who is Father Garvey?

Father KOEPER—He was sent here to assume charge of the Church of the Annunciation, but of course cannot wante the Court keeps is closed.

Correspondent—Do you sympathize with Father Stack?

Hack?
Father Korper -No; I do not.
A STRONG REASON GIVEN.
CORRESPONDENT—Do you know why the Bishop emoved him?
Father Korper—To save the Church from scandal.
Correspondent—What had Father Stack done to ndanger the fair name of the Church?
Father Korper—Jh! (laughingly) he was not fond if paying debis.
Correspondent—What do you mean?
Father Korper—His church is more in debt than t was when he took it.

BRESPONDENT—What my you more in debt than ther Korpen—His courch is more in debt than as when he took it.

ORRESPONDENT—Did he have the money to pay

rents and he received money for baptism and such things.

CORRESPONDENT—What did he do with this money? CORRESPONDENT—what aid he do with this money? Father KOSPEK—He spmt it.

CORRESPONDENT—Of all the money he has received has he never paid it to any one or paid the deuts of the church?

Father KOEPER—No; no one has ever seen any of

CORRESPONDENT—How much do you suppose he has collected since he has been in Wildamsport—\$10,009.

Father Korper—Yes; as much as that. I think

Correspondent—How much do you suppose he has collected since he has been in Wildausport—\$10,000?

Father Korper—Yes; as much as that. I think more.

Correspondent—Loo you think Father Stack has spent thus money in his own behalf?

Father Korper—I do. Where has it gone to else? No one has seen it. It must have been spent.

Correspondent—You say the church is in debt. How do you know?

Father Korper—Bishop O'Hara sent me \$600 a short time ago to pay some of its debts.

Correspondent—Is the church still in debt?

Father Korper—Bishop O'Hara sent me \$600 a short time ago to pay some of its debts.

Correspondent—Is the church still in debt?

Father Korper—My church is free from debt; so am I. I get \$900 per year. I have collected about twelve thousand dollars since I came here, which is about two years. I have built a church, built mysel a house, and have \$4,000 left.

Correspondent—Is your congregation as large as that of Stack?

Father Korper—No, it is not.

The German priest being called for took his leave, and I congratulated mysel; that I at last had arrived at the real cause of Stack's removal.

If the charges the German makes are true Stack has certainly done a very foolish thing in trying to cover the disgrace of a dismissal or removal (for it is a disgrace in the Catholic Church for a priest to be removed) under an appeal to the civil courts to establish canon law. The quesdion naturally arives, how can a civil court ostablish canon hav in this country? This is what Pather Stack is aiming at, evidenly,

The application of besides of Bernico of the Res summons to show cause, but other questions arising it could not be accepted as final:

In the court of common supervision of Judge Maryand, and was intended as a final answer to Judge Gamble's first summons to show cause, but other questions arising it could not be accepted as final:

In the process of Friladelphis. That said Diocese of Scranton contains and embraces the following counties in the territorial limits, to will. Bradford, Lugare, Lycoming, Monros,

chaef P. Stack became due to him as the successor of said they Wood. further saith it is the right and duty of the shop to easign much parish or charges to the pricate within jurisdiction as he may judge to the Lord is proper, and in the right to remove and transfer them as he may deem oper for the interests of religion.

In the right to remove and transfer them as he may deem oper for the interests of religion. In the year 1819 the Product Council of Baltimore, embracing all the Catholic shops of the United States, with the shoution of the Sovieta Council of Baltimore and passed a cree in Latin, of which the following is a translation:—ince by some it has been called in question whether the unity of assigning pricats to exercise the sacred ministry any part of lask diocess or of removing them as they younge fitting in the Lord pertains to the needs of the urch of the United States, we almonish all pricats living these dioceses, whether ordained to the promise given in

BWORN STATEMENT OF FATHER KOEPER.
LYCOMING COUNTY, 8a.:
Rev. J. Koeper, being duly sworn, according to law,
soes and says, that he has read that portion of the anide

APPIDAVIT OF PATHER STACK.

Father Stack having read the auli-lavit of hishop whara, through his counsel, returns the following ounter ametavit:--

anonical cause and a canonical form of proced sary to deprive a parish priest, one regularies

of the church—

of the church—

of the church—

of the cases of the deprive a parish priest, one regularly instituted, of his parish."

And it was further decreed by the Piennary Council in Baitinore in 1888, in desining the duties of bisnops:—

"Let a blahop administer all things by the sacred canons and the law—not arbitrarily."

And the same council, being the highest authority of the Church in the United States, also decreed that "it is altogether destrable that parish priests be established, fixed in the churches of our provinces according to the custom of the universal Church and as they exist in Catholic countries," and which decree remains in force.

Furth—That on the second day after the receipt of the letter of November 5, attached to plaintiff's bill, this deponent, to avoid the appearance of insubor fluation, went to Seranton and called upon the said Bishop, that during the interview which then ensued the decoment did not submit to nor acquisece in his removal from the Church of the Amounciation or to the prohibition of the exercism of his priestly functions at Williamsport. But that the said Bishop did, in the said interview, suggest to the deponent that he, the said Bishop, would establish this deponent that he, the said Bishop, would establish this deponent that he, the last Bishop, would establish this deponent that he, the said Bishop, would establish this deponent that he free from debt and afford competent replied that if he was to be subjected to the same faconveniences and interviews at Williamsport to which had been subjected that it was to be subjected to the same faconveniences and interviews at Williamsport is which had been subjected that it was to be subjected to the same faconveniences and interviews at Williamsport is which had been subjected that it was to be subjected to the same faconveniences and interview at the same for the deponent to which he had not fully determined what course of action he ought to pursue, and, therefore, accepted the two weeks' leave of absence offered hi

Pather STACE—None regularly. There are bap ismai perquisites, &c. These are contingencies. Correspondent—Do you also receive these per

Father STACK - I do. CORRESPONDENT—When there are debts agains be courch now do you pay them?
Pather STACK—By special collections.
CORRESPONDENT—Have you made special collections for this purpose?
Father STACK—I have you reduced the debt?

CORRESPONDENT — Why did Bishop O'Hara send \$600 to Father Koeper to pay the debts of your

Father STACK—Because the Bishop wanted to in-faurer stack—Because the Bishop wanted to in-quire into the thing and I would have nothing to do with it so long as he unduly interfered. He became angry and sent the money to Koeper. Had I been let alone I would have paid the debts. COKKESTONDENT—Have your relations with Father Koeper been of an intimate character? Father STACK—No. COKKESTONDENT—What are your personal rela-

The interview acre caned, and rather stack took his leave.

He approached me later in the day and asked if I had read an account of a meeting published in the Bulletin. I had read it, and so informed him lie then wished to know it I had seen any affidavits from catholics with regard to the sentiment of the meeting. I had seen tuem. It appears that the meeting was pretty evenly divided in leeling and it finally broke up amid great excitement.

Affidavits from noth sides of the noise are now in the hands of counset for plaintiff and defendant; among them is the following. I send it as an evidence of the very bitter feeling that this most remarkable affair has engendered:—

In the Carl of Camera Peet of the ming Camera No. A.

PUBLIC OFINION

Is by no means equally divided. The Protestant population are in sympathy with Stack, because he is fighting that great power, almost absolute, now enjoyed and wielded by the bishops of the Catholic Churen in America. They are not in layor of Stack from personal considerations, for there are not a handred people nere who care whether shack breaks himself or not so long as he breaks the aroutrary power of the bishops. His own congregation, feirlif of evil consequences, are afrait to openly sympathize with him—that is, such as are inclined to—and he is met with averical looks where once he was received with a kindiy smile and open arms. It and he is met with averted looks where once he was received with a kindiy smile and open arms. It is a tremendous undertaking to hynt the combined power, wealth and influence, of the Cathelio hishops—an undertaking that will wear out any one man that breathes long before he has seen any permanent good results of his fight, and Father stack has undertaken something that will keep him and friends busy for many a day.

In case of victory the reward will be great. Defeat will bring dishonor, excommunication and utilimate death from disappointment and chagrin. Five million Catholics await the result in the United States, and it behoves him to buckle on his armor for a long, bitter and determined struggle.

PERSONAL NOTES.

At a county fair in Arkansas a premium is offered

for the bandsomest man.

Mrs. Stephen A. Douglas Williams is the prominent figure in Fort Leavenworth, Kansas, society.

John B. Gough is lying ill at Scranton, Pa., and

Mrs. Addie L. Ballou is now living at Terre Haute,

Mrs. Matthews. mother of Vice-President Colfax, although still quite iii and confined to her ced, is slowly improving.

Charles P. Kimbali has been appointed by the President one of the commissioners from Maige to attend the centennial celebration in Paliadelphia July 4, 1876.

The Cheyenne Leader gives a rumor that John W Trayer, late United States Senator from Nebraska, will probably accept the Governorship of Wyoming Territory.

Mrs. Harvey Bowen, of Pine Island, Minn. has lately received a letter from a friend in Ganada, informing her that there was about one hundred and twenty-five million doilars' works of real estate to be distributed among the descendants of her great grandfather.

FOREIGN PERSONAL GOSSIP.

-Kossuth lives in strict privacy at Turin. — General Moltke is at present an Imperial guest at St. Petersburg.

trian Minister in Athens.
— Count Pulszky will, it is said, enter the Austrian diplomatic service.

—Madame do Montijo, mother of the Empress Eugénie, is seriously ill.

Eugénie, is seriously ill.

—Three princesses are now performing as public singers in Russia.

—Viscount Gontant Biron has ocen appointed

French ambassador to Germany.

—Orest Werdenhelm is the name of the recently appointed Swedish War Minister.

—Prince Metternich will fix his residence with

his family in Italy after having quitted Paris, Lord Tenterden, Assistant Under Secretary of the Enguish Foreign Office, has gone to Genova.

— M. Gambetta asserts that he knows of no greater misfortune for France than the execution of Rossel.

Hossel.

—Ferre, the Communist, was buried in the cemetery of Levallois, a suburban village between Paris and Asaleres.

—M. de Poussargues, who received a ball in the leg during his duel with M. Clémenceau, has had to undergo amputation.

undergo amputation.

— Captain Burton, the African traveller, says that he has not the slightest reason to despair of the safety of Dr. Livingstone.

Safety of Dr. Livingstone.

—Commissioner Simpson, of the British Fereign Office, it is said, has ascended the Noie farther than any white man has ever previously been.

—Archdeacon Denison has caused his name to be erased from the books of the University of Oxford, because "it has become an irreligious body,"

CLAIMS ON PERU.

The Late Minister to Peru and the Charge d'AL faires at Lima in the claim Busines:-A Disgraceful Case of Corruption.

The Late Minister to Peru and the Charge d'Affaires at Lima in the Cluim Business-A Disgraceful Case of Corruption,

WASHINGTON, Jan. 6, 1872. neral Alvin P. Hovey, late Unite : States Minis er to Peru, and Henry M. Brent, Secretary of Legation and Charge d'Affaires of the United States at na, appear as the principals in a piece of diplo matic dodgery that by contrast elevates our Minisfactor of the English capitalists whose surplus cash it was hoped to pool in the Emma silver mine of The story is partly told in the printed memo rial and exhibits pertaining to case No. 6,316 in the titled Charles Werle vs. The United states, &c. The rest of the case is stated as follows:in the month of April, 1868, Charles Welle, a

naturalized American citizen and resident of New York city, filed the post of United States Consul as

Tumbez, in the republic of Peru, and incurring enmity of San Patriclo Sandoval, Governor of district of Tumbez, by too zealous a idesire for the commercial interest of certain American citizens in that district, was badly maltreated in person and property by Bon Patricio, what has an of the peace in that district. For the outlages perpetrated upon him Consul Welle made pecuniary reclamation from the central government at Lima, and placed his demand in charge of the American Charge d'Affaires, Henry M. Brent, a resident of Washington city and mem-ber of the well known Brent family of Maryland. Mr. Brent, under date of August 14, 1868, acknowledging receipt of the papers in his case, reminds Consul Weile of the traditional delays of dipiomacy between two governments, and advises the employment of a special agent in Lima if the the employment of a special agent in Lima if it Consul were anxious to realize on his claim specially, at the same time offering to put the business very influential bands for a percentage, provide Mr. Weile would be very confidential, in justice the Peruvian officials to be employed in the rall upon their own treasury. But the Consul did not once take the bait thrown out. Like me adopted citizens, he placed a high value American citizenship, and reminded the Charge that something more than personal spology an pecuniary compensation was necessary to atone for the insult to the United States Consulate, and that the condign punishment of the offenders was o more consequence to the American nation than the bare payment of money to himself, thus reminding closed by authorizing the latter to employ the agent, to name the pecuniary sailsfaction due to himself personally and to find the suggested per centage, throwing himself as a stranger at Lima, upon the honor of the Charge d'Affaires of his country, to do what was right by himself. This answer was equally not satisfactory to Brent, and no action was taken, no agent employed, nor anything done. But as other which could not be stifled, a convention with that country was concluded by General Hovey, the new Minister, anxious, of course, to do something to signalize his accession to diplomatic honors, and published by President Grant on the 6th day of July, 1869. Under this convention a mixed Commission met at Lima, of which the American member was Michael Vedal, an ex Congressman from Louisana, who had been for several months a needy and seedy office-ceker at Washington. Before this tribunal Secretary of Legation Brent, by virtue of a power of attorney, that only empowered um to prosecute the case directly against the government of Feru, brought the claim of Weile and fixed the damages at \$50,000. Senor Lucien O. Benjamin, the Peruvian Commissioner, fought this claim valuantly for a time, but seeing it about to pass beyond his control to the umpire he agreed to a compromise for \$35,000. This was on February 12, 1870. Nine days thereafter, in a letter marked "strictly confidential," Secretary writes to Cousai Weile, that upon the arrival of General Hovey, the new Minister, their affairs had to be referred to the commission. They were in a bad way. Much machinery had to be greased, there advent of Hovey arrangements were made to set apart \$10,000 for the elaimant whose good friend named should go to pay expenses. He counselled named should go to pay expenses. He counselled the claimant to be a good boy and sav nothing naughty, as many better claims had been thrown overboard for want of oil to grease the mixed machinery. The American Commissioner Vedai would stop at Guayaquil, to which post the Consul had been transferred after his mistreatment at Tumbez, and give him further information. Consul Weile took alaim at the character of this communication, and at the remarkable omission, which could not have

been unintentional. To inform film what exact sumb between the \$50,000 claimed and the \$10,000 for which he was invited to draw had been used for lubricating purposes at Lima. He accordingly wrote directly to Secretary Fish. at Washington. To questing to be notified of the amount awarded him by the mixed commission, and of the manner in which he was to collect it. In this letter he also revoked any power of attorney given to Secretary Frent, and asked that the legation of the United States at Lima. He so informed. His answer came from Assistant Secretary Bancrott Davis, advising him that \$35,000 had seen awarded, but refusing his request that Mr. Breat may be informed of the revocation of the power conferred upon him in the preimises, upon the ground that it was not the province of the State Department to Interfere in the private antities of its citzons.

The claimant had not requested the State Department to communicate with Mr. Breat at all, but with the United States Legation. Nor was this request at all necessary in a legal point of view, as the fourth article of the convenient with Peru expressly stipulated that all sums of money awarded should be paid by the one government to the other. Minister Hovey, receiving the money from the Peruvan Treasiry, bad no power of disbursement in connection with it, but was bound in his trust capacity to turn it over to his government unless otherwise directed. Not had the claimant in the woo'e course of the proceedings executed a single paper which the government of the United States in its financial business would recognize as conferring power upon an agent to collect money for his principal. These facts were distinctly communicated by the claimant to Minister thove, on the 4th of June, 1370, and replied to by the latter on the 13th of the same minister flowers of the publication of the same. This he would not do, but offered an acceptance which reserved all rights not granted away by him, and a fair compensation of the subject of the same official of personal. There is

ALLEGED GRAND LARGENY.

Detective Von Guechtin, of the Twenty-eighth precinct, yesterday arraigned a "glass put in man" named Zacharian Gauld, before Justice Cox, at Jefpamed Zacarian dual, select a state of the ferson Market, on complaint of Isaac De Shar, of 500 Canal street, who charges that on Saturday afternoon he centered his room and stole \$37 in money and a good watch and chair valued at \$150. He denied the observe, but was fully committed for training the complete of the control of the contr